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EXAMINER

NGUYEN, THUAN T

ART UNIT PAPER NUMBER

2685

DATE MAILED: 05/19/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/595,595

Applicant(s)

MCCONNELL ET AL.

Examiner

THUAN T. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9</u> . | 6) <input type="checkbox"/> Other: ____.  |

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**DETAILED ACTION****Remark**

1. Claims 17-53 were canceled in the amendment dated 02/09/04. Pending claims are 1-16.

***Claim Rejections - 35 USC 102***

2. The following is a quotation of the appropriate paragraphs of 35U.S.C.102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --  
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.*

*The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).*

3. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Gossman et al. (U.S. Patent No. 6,317,594 B1/ or "Gossman" hereinafter).

Regarding claim 1, Gossman discloses "a private wireless network, to which private network mobile stations subscribe, integrated with a public wireless network, to which public network mobile stations subscribe, said private wireless network being able to provide wireless telecommunications services to at least one mobile station that subscribes to said private wireless network and to said public wireless network, said public wireless network having a public network subscriber database containing a public network data record for each of said public network mobile stations, including a first data record for said at least one mobile station, said public wireless network providing a public network coverage area within which said at least one mobile station can

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communicate with said public wireless network over an air interface, said private wireless network comprising: at least one base station providing a private network coverage area, said at least one mobile station being able to communicate with said at least one base station over an air interface when said at least one mobile station is operating in said private network coverage area; a switching system in communication with said at least one base station; and a private network subscriber database accessible by said switching system, said private network subscriber database containing a private network data record for each of said private network mobile stations, including a second data record for said at least one mobile station", i.e., a mobile station can communicate with its private network such as a conventional PCS network or a closed user groups, and to a public wireless network such as a PABX, while the PABX can run on a wireless network using both Advanced Intelligent Network AIN and Wireless Intelligent Network WIN models (Figs. 1, 2 & 6, and col. 5/line 65 to col. 6/line 65 & col. 1/lines 20-30 for AIN & WIN); STP works as a switch using same platform as a MSC in transferring messages to other STPS, MSCs, SCP and other network elements (col. 9/lines 50-65) as well as a conventional base station associated with a MSC is disclosed (col. 3/lines 20-51); and each mobile station is associated with its private network subscriber database as HLRs (as illustrated in Figs. 1, 2 & 3; and col. 9/line 50 to col. 10/line 20 with Fig. 3 shows more than one HLR for a public wireless PABX system; and col. 6/lines 53-65 as the private PBX can run on the wireless network).

As for claim 2, in further view of claim 1, Gossman further discloses "comprising a gateway service control point (SCP) in communication with said switching system" (Fig. 2/item 2 for a SCP in communication with the STP 3).

As for claim 3, in further view of claim 2, Gossman further discloses "wherein said private network subscriber database is located in said gateway SCP" (Fig. 2

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illustrates the SCP 2 is within the LAN/Cellular network, which is the private network of concern).

As for claim 4, in view of claim 3, Gossman further discloses "wherein said public network subscriber database is located in a home location register (HLR)", i.e., public network subscriber data is stored in the HLR within the private network (Fig. 2, and col. 10/lines 22-58).

As for claim 5, in view of claim 3, Gossman suggests "wherein said first data record includes a first locator address for locating said at least one mobile station and said second data record includes a second locator address for locating said at least one mobile station", i.e., more than one HLR is used for storing user profile of the user including locator address (Fig. 3, and col. 9/lines 50-65).

As for claim 6, in view of claim 5, Gossman further suggests "wherein said first locator address identifies said gateway SCP and said second locator address identifies said switching system" (Table 1 on col. 19 shows that the routing messages for identifying appropriate gateway SCP and/or the switching system are performed using records from the HLR).

As for claims 7 and 8, in view of claims 3 and 4, "wherein said SCP includes a plurality of service logic modules" and "wherein said HLR includes a plurality of service logic modules", i.e., Gossman includes logic or network applications understood to integrate within logic modules for applications and services (col. 4/lines 12-20 & col. 6/lines 20-35).

As for claim 9, in view of claim 3, Gossman further discloses "wherein said switching system includes a first mobile switching center (MSC)" (Fig. 1/item 1).

As for claim 10, in further view of claim 9, Gossman further discloses "wherein said switching system includes a second MSC", i.e., STP can be regarded as a second

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MSC because it's based on a same hardware platform as a MSC for transferring messages to other MSC (col. 9/lines 50-59).

As for claim 11, in further view of claim 9, Gossman further discloses "wherein said switching system includes a first private branch exchange (PBX)" (Fig. 2, and col. 11/lines 20-25 for private branch exchange).

As for claim 12, in view of claim 11, Gossman discloses "wherein first PBX communicates with said gateway SCP via a computer telephony interface (CTI)" (col. 21/lines 5-19).

As for claim 13, in further view of claim 11, Gossman further notes "wherein said switching system includes a second PBX" (Fig. 6 illustrates a system of more than one PBX (or labeled customer site) using gateway 7 in connection with the carrier site).

As for claims 14 and 15, in further view of claim 1, Gossman further discloses "wherein said first data record includes a first service profile for said at least one mobile station and said second data record includes a second service profile for said at least one mobile station" and "wherein said first service profile differs from said second service profile", i.e., a first service profile associated with an VLR of a mobile station can be distinct from a second service profile associated with at least one mobile station associated with a HLR (Fig. 1, and col. 9/line 50 to col. 10/line 20).

As for claim 16, in view of claim 1, Gossman discloses "wherein said private network wireless coverage area overlaps said public network coverage area" (col. 6/lines 53-65 as the private PBX can run on the wireless network).

***Response to Arguments***

4. Applicant's arguments filed on 02/09/04 have been fully considered but they are not persuasive.

Applicants basically argues that Gossman does not teach or suggest that a mobile station in Gossman's system can not communicate over an air interface, or wirelessly, with the public wireless network and to the private wireless network, which the Examiner respectfully disagrees based on the following supportive statements.

Gossman clearly discloses the mobile station can communicate with its private network such as a conventional PCS network or a closed user groups, and to a public wireless network such as a PABX, while the PABX can run on a wireless network using both Advanced Intelligent Network AIN and Wireless Intelligent Network WIN models (Figs. 1, 2 & 6, and col. 5/line 65 to col. 6/line 65 & col. 1/lines 20-30 for AIN & WIN); and the STP works as a switch using same platform as a MSC in transferring messages to other STPS, MSCs, SCP and other network elements (col. 9/lines 50-65) as well as a conventional base station associated with a MSC is disclosed (col. 3/lines 20-51); and each mobile station is associated with its private network subscriber database as HLRs (as illustrated in Figs. 1, 2 & 3; and col. 9/line 50 to col. 10/line 20 with Fig. 3 shows more than one HLR for a public wireless PABX system; and col. 6/lines 53-65 as the private PBX can run on the wireless network).

As clearly stated in the objective, Gossman seeks to develop and enhance wireless network services that private networks, wireless networks, and information sources such as the Internet can be combined or interconnected together within a common architecture (col. 7/lines 7-19); and importantly, as quoted in col. 14/lines 10-32, Gossman's invention is an improvement on Mauger's invention such that including interface to allow calls from private networks (PABX) to MS or mobile station and user

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profile from HLR is also local within the PABX. It is a strong indication that the MS have the interface for communicating with the PABX wirelessly because a public wireless network AND a private wireless network as the PCS are included.

Therefore, the Examiner disagrees with the Applicants' arguments and stands with the disclosure and teaching of Gossman as clearly discussed and explained in this Final Office Action.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(703) 872-9306, (for Technology Center 2600 only)**

*Hand-delivered responses should be brought to Crystal Park II,  
2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*




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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (703) 308-5860. The examiner can normally be reached on Monday-Friday from 9:30 AM to 7:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



TONY T. NGUYEN  
PATENT EXAMINER, F58

Tony T. Nguyen  
Art Unit 2685  
May 10, 2004